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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/827,353 |
| | | | | Filing Date | April 20, 2004 |
| | | | | First Named Inventor | Michael ZEMEL |
| | | | | Art Unit | 1616 |
| | | | | Examiner Name | E.J. WEBMAN |
| Sheet | 1 | of | 1 | Attorney Docket Number | 31894-199297 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | A1 | 5,484,623 | 01/16/1996 | McLean | |
| | A2 | 5,855,949 | 01/05/1999 | McLean | |
| | A3 | 4,298,601 | 11/03/1981 | Howard | |
| | A4 | 5,683,725 | 11/04/1997 | Malik, et al. | |
| | A5 | 4,833,128 | 05/23/1989 | Solomon, et al. | |
| | A6 | 5,739,106 | 04/14/1998 | Rink et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | B1 | WO 99/11254 | 03/11/1999 | Vorster | | |
| | B2 | JP 10-066513 | 03/10/1998 | Yoshio | | |
| | B3 | JP 09-173019 | 07/08/1997 | Yuji | | |
| | B4 | JP 07-147935 | 06/13/1995 | Tokutsugu | | |

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| NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | C1 | Denke, Margo A., et al. "Short-Term Dietary Calcium Fortification Increases Fecal Saturated Fat Content and Reduces Serum Lipids in Men", Journal of Nutrition Vol. 123, No. 6, June 1993, pp. 1047-1053. Copyright © 1993 by American Society for Nutrition. | |
| | C2 | BINGZHONG XUE, et al., "The agouti gene product inhibits lipolysis in human adipocytes via a Ca ²⁺ - dependent mechanism", The FASEB Journal, volume 12, pgs 1391-1396, October 1998. | |
| | C3 | CATHERINE B. CHAN, et al., "Overexpression of Uncoupling Protein 2 Inhibits Glucose-Stimulated Insulin Secretion From Rat Islets", Diabetes, volume 48, pages 1-5, July 1999. | |
| | C4 | EJ MICHAUD, et al., "Obesity and the Adipocyte", Journal of Endocrinology, 1997, volume 155, pgs 207-209, published in Great Britain. | |
| | C5 | HANG SHI, et al., "Role of Intracellular Calcium in Human Adipocyte Differentiation", Physiol Genomics, volume 3, pgs. 75-82, 2000 (article published online before print) | |
| | C6 | J.H. KIM, et al., "Agouti Regulation of Intracellular Calcium : Role of Melancortin Receptors", The American Physiological Society, volume 35, pgs E379-384, 1997. | |
| | C7 | JUDITH COOK, et al., "The Contribution Made by School Milk to the Nutrition of Primary Schoolchildren", British Medical Journal, 1975, volume 34, pgs. 91-103, London | |
| | C8 | LEWIS LANDSBERG, M.D., "Weight Reduction and Obesity", Clin. And Exper. Hypertension, 1999, volume 21(5&6), pgs. 763-768 | |

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| Examiner Signature | | Date Considered | |
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|--|-----|--|--|
| | C9 | MICHAEL B. ZEMEL, et al., "Agouti Regulation of Intracellular Calcium: Role in the Insulin Resistance of Viable Yellow Mice", Proc. Natl. Acad. Science, volume 92, pgs. 4733-4737, May 1995. | |
| | C10 | NATIONAL DAIRY COUNCIL, "Study Heralds the Power of Lowfat Dairy Foods in Helping Control Body Fat and Helping Reduce the Risk of Obesity", press release, November 17, 1999. | |
| | C11 | ROBERT C. KLESGES, PhD, et al., "Predictors of Milk Consumption in a Population of 17-to-35-Year-Old Military Personnel", Journal of The American Dietetic Association, July 1999, volume 99, number 7, pgs. 821-838, publisher - Debra McBride. | |
| | C12 | SCOTT ACKLEY, et al., "Dairy Products, Calcium, and Blood Pressure", The American Journal of Clinical Nutrition, volume 38, pgs. 457-461, September 1983. | |
| | C13 | www.sciencedaily.com, "Calcium May Curb Weight Gain in Young Women", website, 04/1999, (adapted from a news release issued by Purdue University). | |
| | C14 | Y. HATA, M YAMAMOTO, M. OHNI, K. NAKAJIMA, Y. NAKAMURA and T. TAKANO, "A Placebo-Controlled Study of the Effect of Sour Milk on Blood Pressure in Hypertensive Subjects", Am J Clin Nutr, 1996;64, pp. 767-771 | |
| | C15 | Milk in Wikipedia (http://en.wikipedia.org/wiki/Whole_Milk) | |
| | C16 | Dietary Supplement Fact Sheet: Calcium (http://dietary-supplements.info.nih.gov/factsheets/calcium.asp) | |
| | C17 | Ask a Scientist (http://www.newton.dep.anl.gov/askasci/chem99/chem99135.htm) | |

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